

## State Water Resources Control Board

February 12, 2016

(Via email and Certified Mail)

**CERTIFIED MAIL**

**NO. 7015 1520 0001 8019 5975**

Mr. Collins Kalu  
Los Angeles County Metropolitan  
Transportation Authority  
One Gateway Plaza  
Los Angeles, California 9002  
[kaluc@metro.net](mailto:kaluc@metro.net)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT METRO DIVISION 5, 5425 SOUTH VAN NESS AVENUE,  
LOS ANGELES**

Dear Mr. Kalu:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on February 4, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Operating Permit On-Site</b> – The facility permit to operate was not on-site at the time of inspection.	All	February 4, 2016	Ongoing	23 CCR 2712(i)
2	<b>Failure to Maintain Monitoring Plan</b> – Monitoring plans in CERS need to be updated: line leak detectors are listed but none were observed at the time of inspection.	T15 and T16	February 4, 2016	Ongoing	23 CCR 2711(a)(9)
3	<b>Failure to Tag Monitoring Equipment</b> – The ATG and LLD were not tagged for T20; the annular sensors were not tagged for T23 and T27; and the sensors in T27 fill and piping sumps were not tagged.	T20, T23 and T27	February 4, 2016	Ongoing	23 CCR 2641(j)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	<b>Failure to Monitor Product Piping</b> – Sensor in the sump is unable to detect a leak at the earliest opportunity because a collar inside the sump prevents the sensor from detecting leaks in all areas of the sump.	T26	February 4, 2016	Ongoing	23 CCR 2630(d)
5	<b>Failure to Install Line Leak Detectors</b> – Pneumatic pumps have pressurized underground piping without line leak detectors.	T15, T16, T21, T22, T25 and T26	February 4, 2016	Ongoing	H&SC 25291(f); 23 CCR 2636(f)(2)
6	<b>Failure to Meet Spill Containment Requirements</b> – Spill container had liquid inside of it; this prevents its ability to hold five gallons.	T16 and T23	February 4, 2016	Ongoing	23 CCR 2635(b)(1)
7	<b>Failure to Maintain UST Monitoring System</b> – The light bulbs on monitoring panel 2 were not functioning.	T25, T26, T27 and T28	February 4, 2016	Ongoing	H&SC 25291(b); 23 CCR 2630(d)
8	<b>Failure to Maintain Monitoring or Testing Records Onsite</b> – The November 13, 2015 monitoring certification results were not available at the time of inspection.	All	February 4, 2016	Ongoing	H&SC 25293; 23 CCR 2712(b)
9	<b>Failure to Maintain Overfill Prevention</b> – No fill tube shut off valve was observed in the fill pipe and the tank is not being monitored via ATG.	T16 and T20	February 4, 2016	Ongoing	H&SC 25291(c); 23 CCR 2635(b)(2)
10	<b>Failure to Maintain Spill Containment</b> – The spill bucket failed the spill containment test on June 10, 2015, because of a torn bellow. This component has not been repaired or retested.	T22	June 10, 2015	Ongoing	23 CCR 2635(b)(1)
11	<b>Failure to Maintain Secondary Containment</b> – The failed components listed on the August 2, 2013 Secondary Containment test have not been repaired or retested.	Transition Sumps 1 and 2	August 2, 2013	Ongoing	H&SC 25291(a)(2)
12	<b>Failure to Maintain Secondary Containment</b> – The failed components listed on the August 1, 2013 Secondary Containment test have not been repaired or retested.	T25, T26	August 1, 2013	Ongoing	H&SC 25291(a)(2)
13	<b>Failure to Maintain Secondary Containment</b> – The failed components listed on the July 31, 2013 Secondary Containment test have not been repaired or retested.	T23	July 31, 2013	Ongoing	H&SC 25291(a)(2)

No.	Violation	Tank	Start Date	Stop Date	Regulation
14	<b>Failure to Maintain Secondary Containment</b> – The failed components listed on the July 30, 2013 Secondary Containment test have not been repaired or retested.	T20, T21 and T22	July 30, 2013	Ongoing	H&SC 25291(a)(2)
15	<b>Failure to Maintain Plot Plan</b> – The site plan in CERS lists the wrong address. It must be updated to include a scaled diagram which indicates the location of the underground storage tank (including tank, piping, auxiliary equipment) with respect to buildings or other landmarks.	All	February 4, 2016	Ongoing	23 CCR 2711(a)(8)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and the Los Angeles City Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Ms. Rebecca Green  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[rebecca.green@waterboards.ca.gov](mailto:rebecca.green@waterboards.ca.gov)

**Local CUPA**

Mr. Aaron Mungaray  
Fire Inspector  
Los Angeles City Fire Department  
200 Main Street, Suite 1700  
Los Angeles, California 90012  
[aaron.mungaray@lacity.org](mailto:aaron.mungaray@lacity.org)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: See next page.

cc: *(via email only)*

Captain Daniel Dragotto  
Los Angeles City Fire Department  
[daniel.dragotto@lacity.org](mailto:daniel.dragotto@lacity.org)

Mr. Aaron Mungaray  
Fire Inspector  
Los Angeles City Fire Department  
[reynaldo.husband@lacity.org](mailto:reynaldo.husband@lacity.org)

Mr. James Jimenez  
Environmental Compliance & Services Manager  
Los Angeles County Metropolitan  
Transportation Authority  
[jjimenezja@metro.net](mailto:jjimenezja@metro.net)

Mr. Roger Uhden  
Sr. Environmental Specialist & Quality Assurance  
Los Angeles County Metropolitan  
Transportation Authority  
[uhdenr@metro.net](mailto:uhdenr@metro.net)